

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 104 of 1994

For Approval and Signature:

Hon'ble MR.JUSTICE M.S.SHAH

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1. Whether Reporters of Local Papers may be allowed to see the judgements?-No.
  2. To be referred to the Reporter or not?-No.
  3. Whether Their Lordships wish to see the fair copy of the judgement?-No.
  4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?-No.
  5. Whether it is to be circulated to the Civil Judge?-No.

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BANVA IQBALSHA GULABSHA

Versus

SECRETARY GUJ PUBLIC SERVICE COMMISSION

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Appearance:

MR BG JANI for Petitioner

MR MR RAVAL ASSISTANT GOVERNMENT PLEADER  
for Respondent No. 1

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CORAM : MR.JUSTICE M.S.SHAH

Date of decision: 04/04/97

ORAL JUDGEMENT

The petitioner appeared at the examination conducted by the Gujarat Public Service Commission (hereinafter referred to as "The Commission") in the subjects of Accountancy and Business Organisation and Management of Part II held in July, 1993 for the purpose of making recruitment to Class I and Class II Posts in Gujarat Administrative Service. The petitioner's name did not figure in the list of successful candidates. The petitioner approached this Court by filing the present petition and prayed that the Commission be directed to reassess/recheck the answer books of the petitioner in the aforesaid subjects.

2. The learned Assistant Government Pleader, appearing for the Commission, had made a statement before this Court on March 18, 1994 that the petitioner had applied for rechecking and that the result of rechecking would be communicated to the petitioner within a week from that date.

3. Mr. Raval, learned Assistant Government Pleader appearing for the Commission has stated at the final hearing today that rechecking of the petitioner's answer books in the aforesaid two subjects was done and the same was found to be correct and that there was no mistake, as stated in the affidavit-in-reply filed by the Deputy Secretary of the Commission.

4. As far as the prayer for reassessment is concerned, the same cannot be granted in view of the settled legal position.

5. In view of the aforesaid, nothing further is required to be done and this petition deserves to be dismissed.

6. In the result, the petition is dismissed. Rule is discharged. There shall be no order as to costs.

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(apj)